

IN THE DRAWINGS:

Formal drawings will be submitted upon notice of allowance.

REMARKS

Claims 1-15 were rejected in the last office action in which patents to Carlson, Wexler, Fuschetto, Zefran, Stewart, Tarozzi, and James were cited.

The claims have been amended in such a way as to describe the present invention more narrowly, itemize the distinct features of the present invention, and to emphasize the differences existing in the present invention over the prior art.

Specifically, the claims had been re-written to positively claim items referred to in the specification, including: that the celebratory text message panel is selected from a group of previously-determined text phrase panels included in the assembly; that the quantity of the recessed round apertures is in the range of one to one hundred ten; that the cover and bottom piece bear colors, graphics, and indicia thereon which relate to a previously-determined celebratory theme; and that the bottom piece further comprises a locking means which functions to allow the cover to engage the bottom piece in a tight and secure fashion.

Regarding the cited references, Carlson 2,758,458 is intended to keep cake fresh and prevent it from drying out. As such, it fails to close a message slot as taught by the present invention.

The references of Wexler 4,938,688 and Wexler 4,884,966 have the general objective of shielding the cake from germs, but accomplish so in a different fashion than the present invention. The former reference teaches a particular configuration of candle holders, and the latter is rectangular in shape and is adjustable for rectangular cakes of different sizes.

Moreover, James 4,705,163 is a device that has base member handles, but not in combination with the type of assembly as taught by the present invention.

Likewise, Stewart 6,616,958 discloses the usage of text for decoration, but it relates to a different type of assembly than the present invention, specifically one that features an edible polymer film in sheet form.

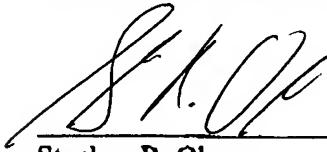
Furthermore, Tarozzi 4,667,484 teaches the usage of indentations, but not in combination with the type of assembly of the present invention, as the Tarozzi reference is directed to a portable cooler.

Although Fuschetto 5,096,274 discloses a slot of sorts, it is quite different than that of the present invention as it is intended for containing and supporting known wax candle numerals.

Finally, although Zefran 4,219,119 teaches a form of personalization, it is also quite different than the present invention, since it merely teaches a decorative container that may include names, dates and the like.

According to all of the above, Applicant submits that the combination of features of the present invention would not have been obvious to one skilled in the art at the time the cited art was filed. Thus, reconsideration and allowance of the present application are respectfully requested. Should the Examiner consider necessary any formal changes in the specification, claims and/or drawings, it is respectfully asked that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance.

RESPECTFULLY SUBMITTED,



Stephen R. Okros

3-10-05

DATED: